

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action of March 20, 2008, in which the Examiner (1) rejected claims 3-6, 14-17, 23-24, 32-33 and 36-37 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,973,442 ("**Drummond**") and further in view of US Pub. No. 2001/0032121 ("**Le**"), (2) rejected claim 7 under 35 U.S.C. 103(a) as being unpatentable over **Drummond** and **Le** as applied to claim 3, and further in view of "Citibank Unveils New Automatic Teller Machine Technology to Aid Individuals with Disabilities" by S. Weeks, Sept. 30, 1992 ("**Weeks**"), (3) rejected claims 9-11 and 13 under 35 U.S.C. 103(a) as bring unpatentable over **Drummond** and **Le** as applied to claim 3, and further in view of "Neglected Shoppers Rejoice: Customer Service is Returning" by B. Aarsteinsen, Nov. 9, 1990 ("**Aarsteinsen**"), (4) rejected claim 12 under 35 U.S.C. 103(a) as being unpatentable over **Drummond**, **Le** and **Aarsteinsen** as applied to claim 9, and further in view of "Freddie Mac is Avoiding Bad Loans" by P. Reeves, Nov. 23, 1997 ("**Reeves**") and (4) rejected claims 18-21 under 35 U.S.C. 103(a) as being unpatentable over **Drummond** and **Le** as applied to claim 17, and further in view of "Tanger Shoppers Score Big Outlet Savings During Super Bowl Scratch and Win Event" on PR Newswire, Dec. 1999 ("**PR Newswire**").

By the present Amendment, claims 15 and 36 have been cancelled. The subject matter of claim 20 has been incorporated into its parent claim 32 (along with intervening claims 14, 16, 17, 18 and 19), and the subject matter of claim 21 (as well as its parent claim 32 and intervening claims 14, 16, 17, 18 and 19) has been rewritten into independent form as new claim 38. Claim 37 has been amended.

Applicants believe the subject matter of claim 20 (now recited in amended claim 32), the subject matter of claim 21 (now recited in new claim 38), and amended claim 37 are all distinguishable from the cited references.

Applicants continue to believe the claims as earlier presented were distinguishable from the cited references, and furthermore, that those references were not properly combined to reject the claims. Applicant has earlier provided comments pertaining to such position in the previous Amendment, and will not rehash the earlier remarks herein.

However, in order to advance prosecution, Applicants have amended claim 32 and have added new claim 38 in order to rewrite the subject matter of claims dependent 20 and 21, respectively, into independent claims. In view of these amendments, the pending claims are now believed clearly allowable over the references.

For example, claim 32 recites, among other things, that "transaction display information is displayed when neither of the promotion display information and the administrator display information is transmitted by the information processing system to the ATM." The Examiner cites various parts of **Drummond** for the disclosure of this feature (see, e.g., page 20 the Examiner's remarks).

However, these cited portions of **Drummond** disclose an "attract mode" which delivers advertising targeted to a particular machine location (see col. 11, lines 23-25). There is no disclosure of displaying transaction display information when promotional information is not available at the ATM, as in Applicants' claims. In fact, these portions of **Drummond** specifically teach away from Applicants recited feature, since the advertising is displayed in addition to transaction information during the processing of a transaction (see col. 10, line 58), and thus there is no provision of transaction display information when promotional information is not available, as in Applicants' invention.

Claim 37 recites similar features and is distinguishable for the same reasons.

New claim 38 recites that "the transaction display information is displayed when the promotion display information and the administrator display information is not displayed to the customer within a predetermined period of time after initiating a transaction at the ATM." The Examiner cites several portions of **Drummond** as disclosing this feature (see page 21 of the Examiner's remarks). But again, such cited portions of **Drummond** do not disclose this recited feature, but rather teach away. For example, col. 17, lines 51- col. 18, line 10 (referenced by the Examiner) disclose a promotional screen that can be displayed while a transaction is being processed (col. 17, lines 45-46). If anything, this is the opposite of Applicants' feature in claim 38, which provides a transaction information for display at an ATM if there is no promotional information for display because no promotional information has been "transmitted by the information processing system to the ATM."

New dependent claim 39 recites the step of "selecting at the ATM monitoring apparatus the customer service information to be made available to customers using ATMs at that branch, so that the control of the display of offer information is at that branch rather than at the central location of the bank." Support for such feature can be found, among other places, at paragraph 89 of the Specification. None of the cited references teach or disclose such feature. Applicants point out that the rationale cited by the Examiner for combining the cited references, namely providing "quicker access to the information as the information is locally located and the sever is not required to access a remote database to obtain the information" (see, e.g., page 9 of the Examiner's remarks), is contrary to the purpose of Applicant's invention, which was pointed out in Applicants' previous Amendment and is now specifically recited in new claim 39. For such reason, the Examiner's stated rationale for combining references is not believed appropriate in connection with claim 39 or the other pending claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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